

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----	X	
CHEVRON CORPORATION,	:	
	:	
Plaintiff,	:	
	:	
-against-	:	
	:	
MARIA AGUINDA SALAZAR, et al.,	:	CASE NO. 11 Civ. 3718 (LAK)
	:	CASE NO. 11 Civ. 0691 (LAK)
Defendants,	:	
	:	
-and-	:	
	:	
STEVEN DONZIGER et al.,	:	
	:	
Intervenors.	:	
-----	X	

**DECLARATION OF CRAIG SMYSER IN SUPPORT OF DEFENDANTS HUGO
GERADO CAMACHO NARANJO AND JAVIER PIAGUAJE PAYAGUAJE'S
OPPOSITION TO PLAINTIFF CHEVRON CORPORATION'S MOTION TO
EXONERATE CHEVRON'S \$21.8 MILLION BOND**

I, CRAIG SMYSER, hereby declare:

1. I am an attorney licensed to practice law in the State of Texas and have been admitted before this Court *pro hac vice*. I am a partner at the law firm of Smyser Kaplan & Veselka, L.L.P., counsel for Defendants Hugo Gerardo Camacho Naranjo and Javier Piaguaje Payaguaje (the "Ecuadorian Plaintiffs") in the above-captioned matters. I make this declaration, based on personal knowledge, in support of the Ecuadorian Plaintiffs' Opposition to Plaintiff Chevron Corporation's Motion to Exonerate Chevron's \$21.8 Million Bond.

2. Attached hereto as Exhibit 1 is a true and correct copy of a March 8, 2011 email from Chevron counsel Robert Gonzalez to Patton Boggs LLP attorneys James E. Tyrrell, Jr., Eric S. Westenberger, Edward M. Yennock, and Eric R. Daleo.

3. Attached hereto as Exhibit 2 is a true and correct copy of relevant portions of the September 16, 2011 Oral Argument Hearing Transcript in *Chevron Corp. v. Naranjo, et al.*, 11-1150-cv (L), 11-1264-cv (Con), and 11-2259 (Con) (2d Cir.).

4. Attached hereto as Exhibit 3 is a true and correct copy of a March 21, 2012 letter from Chevron counsel Herbert J. Stern to the Hon. Esther Salas, U.S.D.J., as filed in *Patton Boggs LLP v. Chevron Corp.*, No. 2:12-cv-00901-ES-CLW, (D.N.J.). The March 21, 2012 Letter is offered not for the truth of the matter asserted but only for the purpose of documenting the statements made or positions taken by Chevron.

5. Attached hereto as Exhibit 4 is a true and correct copy of a March 22, 2012 Letter from Patton Boggs LLP attorney James E. Tyrrell, Jr. to the Hon. Esther Salas, U.S.D.J., filed in *Patton Boggs LLP v. Chevron Corp.*, No. 2:12-cv-00901-ES-CLW (D.N.J.).

6. Attached hereto as Exhibit 5 is a true and correct copy of the Letter Order of the Hon. Esther Salas, U.S.D.J., issued on March 22, 2012 in connection with *Patton Boggs LLP v. Chevron Corp.*, No. 2:12-cv-00901-ES-CLW (D.N.J.).

7. Attached hereto as Exhibit 6 is a true and correct copy of relevant portions of the February 8, 2011 Oral Argument Transcript in *Chevron Corp. v. Donziger, et al.*, No. 11-cv-0691-LAK (S.D.N.Y.).

8. Attached hereto as Exhibit 7 is a true and correct copy of the Memorandum of Points and Authorities in Support of Defendant Chevron Corporation's Motion to Transfer this Action to the Southern District of New York Under the First-Filed Rule or 28 U.S.C. § 1404(a), filed March 13, 2012 in *Patton Boggs LLP v. Chevron Corp.*, No. 2:12-cv-00901-ES-CLW (D.N.J.). The March 13, 2012 Chevron filing is offered not for the truth of the matter asserted but only for the purpose of documenting the statements made or positions taken by Chevron.

I declare under penalty of perjury under 28 U.S.C. § 1746 that the foregoing is true and correct.

March 27, 2012

s/ Craig Smyser

CRAIG SMYSER